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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(s): D. Hochrainer

SERIAL NO.: 10/728,312

ART UNIT: 3764

FILING DATE: 12/04/03

EXAMINER:

TITLE: PODWER INHALER COMPRISING A CHAMBER FOR A
CAPSULE FOR TAKING UP A NON-RETURNABLE CAPSULE
BEING FILLED WITH AN ACTIVE INGREDIENT

ATTORNEY

DOCKET NO.: 821-011725-US (PAR)

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT
(37 C.F.R. §1.97(b)(3))**

Sir:

This information disclosure statement is being filed before the mailing of a first Office Action on the merits.

The following information is being disclosed to the Patent and Trademark Office as information that may be material to the examination of the above-identified patent application. Applicants' Attorney is aware of the following patents and publication:


GB 2 356 842A
WO 02/083220A2
EPO 0 303 844A1
DE 25 29 522
US 2,604,094
US 2002/134374A1

Copies of these patents and publication are enclosed together with a Form PTO-1449.

The filing of this Statement is not to be construed as a representation that a search has been made regarding the claimed invention (37 C.F.R. §1.97(g)) or that no other possible material information exists. In addition, the filing of this Information Disclosure Statement is not to be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability (37 C.F.R. §1.97(h)).

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,



Janik Marcovici
Reg. No. 42,841

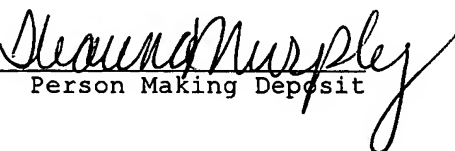
PERMAN & GREEN, LLP
425 Post Road
Fairfield, CT 068424
Customer No. 2512

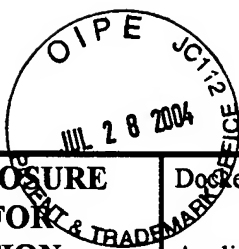
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date indicated below as first class mail in an envelope address to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**INFORMATION DISCLOSURE
CITATION FORM FOR
PATENT APPLICATION
(FORM PTO-1449)
(Substitute)**

Docket No.: 821-011725-US(PAR)

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Group: 3764

U.S. PATENTS

| Initials | Patent Number | Issue Date | Name | Class | Sub-class | Filing date |
|----------|---------------|------------|------------------|-------|-----------|-------------|
| | 2,604,094 | 7/22/52 | S. Miller et al. | 128 | 206 | |

U.S. PATENT PUBLICATIONS

| Initials | Publication No. | Pub. Date | Name | Class | Sub-class | Filing Date |
|----------|-----------------|-----------|-----------------|-------|-----------|-------------|
| | 2002/0134374 | 9/26/02 | Loeffler et al. | 128 | 200.14 | 6/7/01 |

FOREIGN PATENT DOCUMENTS

| Initials | Document Number | Date | Country | Name | Translation? Yes/No/n/a |
|----------|-----------------|----------|---------|------------------------------|----------------------------|
| | GB2 35 6842 | 6/6/01 | UK | Aquasol Ltd. | n/a |
| | WO 02/083220 | 10/24/02 | PCT | Advanced Inhalation Research | n/a |
| | 0 303 844 | 2/22/89 | EPO | MIAT S.P.A. | n/a |
| | 25 29 522 | 1/27/77 | Germany | Schering AG | no |

OTHER DOCUMENTS (Title, Author, Date, Pages, Etc., if known)

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Examiner's Signature:

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Initial if reference was considered, whether or not citation is in conformance with MPEP. Mark through citation if not considered.
Include a copy of this citation form with your next correspondence to the Applicant(s).